

REMARKS

Claims 1-21 were pending.

In the Restriction Requirement, the claims were restricted into the following four groups:

- I. Claims 1-17, drawn to a method of selecting a nucleic acid encoding a prodrug converting enzyme, classified in class 435, subclass 91.1.
- II. Claim 18, drawn to a nucleic acid molecule encoding a catalytic enzyme or fragment thereof, classified in class 536, subclass 23.1.
- III. Claim 19 drawn to a catalytic enzyme of fragment thereof, classified in class 530, subclass 350+.
- IV. Claims 20 and 21, drawn to a method of cloning a nucleic acid encoding a prodrug converting enzyme or fragment thereof, classified in class 435, subclass 69.1.

Applicants provisionally elect to prosecute, with traverse, the claims of Group I. Applicants respectfully submit, however, that Groups I and IV should be examined concurrently and request the same. Claims 20 and 21 of Group IV recite all the steps of claims 1 and 2, respectively, of Group I with an additional cloning step. Further, both groups are in the same class. It is respectfully submitted that it would not be burdensome for the Office to examine both groups concurrently.


Applicants further elect species (b) -- an enzyme capable of converting a prodrug to its active form. Applicants submit that claims 1-8 and 10-17 read on the elected species. The Office's designation of claims 5 and 7 as directed to separate species is respectfully traversed.

The claims all recite a selection of a nucleic acid that encodes an enzyme capable of converting a prodrug to its active form. The selection is performed by contacting a prodrug with a library of nucleic acids. This library can contain nucleic acids that encode different enzymes, or variants of the same enzyme.

Applicants respectfully request allowance of all pending claims.

Respectfully submitted,

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